

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL CASE NO. 1:16-cv-00107-MR-DLH**

**LANTERN BUSINESS CREDIT, LLC,)
a Delaware limited liability company,)
)
)
Plaintiff,)
)
vs.)
)
**ALIANZA TRINITY DEVELOPMENT)
GROUP, LLC, a Florida limited)
liability company, ALIANZA TRINITY)
HOLDINGS, BRIGHT'S CREEK GOLF)
CLUB, LLC, a North Carolina limited)
liability company, PASQUALE)
GIORDANO, and OMAR BOTERO,)
)
Defendants.)
)****

O R D E R

THIS MATTER is before the Court on the Notice of Bankruptcy Stay by Defendant Alianza Trinity Development Group, LLC [Doc. 50].

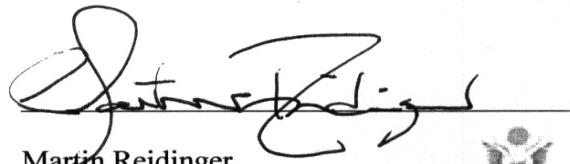
The Defendant Alianza Trinity Development Group, LLC has filed a notice with the Court indicating that it filed a voluntary bankruptcy petition under Chapter 11 of the United States Bankruptcy Code on October 27, 2016. It is well-settled that “[w]hen litigation is pending against the debtor at the time a bankruptcy case is commenced, the litigation is stayed automatically.” 3 Collier on Bankruptcy ¶ 362.03[3] (16th ed. 2014); see also

11 U.S.C. § 362(a)(1) (providing that a bankruptcy petition operates as an automatic stay of “the commencement or continuation . . . of a judicial, administrative, or other action or proceeding against the debtor”). Accordingly, the Court will consider this action stayed as to the Defendant Alianza Trinity Development Group, LLC only.

Accordingly, **IT IS, THEREFORE, ORDERED** that this action is hereby **STAYED** as to the Defendant Alianza Trinity Development Group, LLC only until further Order of the Court. All other claims pending in this action remain unaffected by this stay.

IT IS SO ORDERED.

Signed: November 4, 2016



Martin Reidinger
United States District Judge

